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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION**

STEVE TOKOSHIMA, LUIS FLORES, and  
JAMES FABER, on Behalf of Themselves and All  
Others Similarly Situated,

Plaintiffs,

vs.

THE PEP BOYS - MANNY MOE & JACK OF  
CALIFORNIA, a California corporation; THE PEP  
BOYS - MANNY MOE & JACK, a Pennsylvania  
corporation; and DOES 1-10,

Defendants.

CASE NO.: CV 12-4810 CRB

**STIPULATION AND ORDER  
CONTINUING BRIEFING SCHEDULE  
ON DEFENDANTS' MOTION TO  
STRIKE DECLARATION OF  
PLAINTIFFS' EXPERT WITNESS,  
GERALD ROSENBLUTH, FILED IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

Judge: Hon. Charles R. Breyer

STIPULATION AND [PROPOSED] ORDER CONTINUING BRIEFING SCHEDULE ON  
DEFENDANTS' MOTION TO STRIKE DECLARATION OF PLAINTIFFS' EXPERT  
WITNESS, GERALD ROSENBLUTH, FILED IN SUPPORT OF PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION, Case No. CV 12-4810 CRB

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16 THE PEP BOYS MANNY MOE & JACK OF  
17 CALIFORNIA and THE PEP BOYS – MANNY,  
18 MOE & JACK  
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1 WHEREAS, pursuant to Stipulation and Order (Dkt. No. 48 ), the following briefing and  
2 hearing schedule applies to Plaintiffs' Motion for Class Certification (Dkt No. 37):

3 November 6, 2013—Plaintiffs file motion for class certification

4 March 7, 2014—Defendants file opposition to Plaintiffs' motion for class certification

5 April 4, 2014—Plaintiffs file reply brief in support of motion for class certification

6 April 18, 2014—Hearing on Plaintiffs' motion for class certification;

7 WHEREAS, Defendants filed their opposition to Plaintiffs' motion for class certification on  
8 March 7, 2014 (Dkt No. 49);

9 WHEREAS, Defendants also filed on March 7, 2014, an accompanying Motion to Strike  
10 Declaration of Plaintiffs' Expert Witness, Gerald Rosenbluth, Filed in Support of Plaintiffs'  
11 Motion for Class Certification ("Motion to Strike") (Dkt. No. 50);

12 WHEREAS, Defendants set their Motion to Strike for hearing on April 18, 2014 at 10:00  
13 a.m., the same time as Plaintiffs' motion for class certification;

14 WHEREAS, the parties are in the process of meeting and conferring and attempting to find  
15 a convenient date for a 30(b)(6) deposition that Plaintiffs contend is potentially relevant to both the  
16 class certification motion and Defendants' Motion to Strike;

17 WHEREAS, pursuant to Local Rule, Plaintiffs' opposition to the Motion to Strike is  
18 currently due on March 21, 2014 and Defendants' reply in support of the Motion to Strike is  
19 currently due on March 28, 2014;

20 WHEREAS, this does not give the parties sufficient time in which to schedule the requested  
21 30(b)(6) deposition;

22 WHEREAS, if the briefing schedule on Defendants' Motion to Strike is continued by one  
23 week, briefing on Defendants' Motion to Strike will be completed by April 4, 2014, the same date  
24 that briefing is completed on Plaintiffs' motion for class certification;

25 Therefore, the parties hereby stipulate, and request that the Court so order:

- 26 1) Plaintiffs' Opposition to Defendants' Motion to Strike, currently due on March 21, 2014,  
27 shall be due on March 28, 2014;

2) Defendants' Reply in support of Motion to Strike, currently due on March 28, 2014, shall be due on April 4, 2014.

DATED: March 13, 2014

/s/ Eve H. Cervantez  
Eve H. Cervantez

ALTSHULER BERZON LLP  
Attorneys for Plaintiffs

STEVE TOKOSHIMA, LUIS FLORES, and JAMES  
FABER

DATED: March 13, 2014

/s/ John S. Battenfeld

John S. Battenfeld

MORGAN, LEWIS & BOCKIUS LLP  
Attorneys for Defendants

THE PEP BOYS MANNY MOE & JACK OF  
CALIFORNIA and THE PEP BOYS – MANNY,  
MOE & JACK

Pursuant to Stipulation, and for good cause shown, IT IS SO ORDERED.

Dated: March 18, 2014

HON. CHARLES R. BREYER  
United States District Judge

